

REMARKS

Claims 1 to 21 are pending in the present application.

Claims 1-21 stand rejected under 35 U.S.C. § 112, ¶1, for failing to comply with the written description requirement because, in the opinion of the Examiner, no support in the specification exists for the "traction operation" added by amendment to claims 1 and 19. Applicants disagree with this assertion, since page 7, lines 1-5, mention a traction control system, which obviously is capable of performing a "traction operation."

The Examiner also provides a "Response to Arguments" that appears to disagree with the arguments submitted by Applicants previously to distinguish the Engl reference. The inclusion of this Response is unusual because the Office Action does not contain an actual rejection of the claims based on this reference. Section 707.07(d) of the MPEP states that "[w]here a claim is refused for any reason relating to the merits thereof it should be 'rejected' and the ground of rejection fully and clearly stated, and the word 'reject' must be used." Since the Examiner has not used the word "reject" in connection with the Engl reference, Applicants submit that the Examiner has not formally rejected the claims based on this prior art. Accordingly, having addressed the one rejection based on the written description requirement that was actually made, Applicants submit that this response to the Office Action is complete.

In view of the foregoing, it is respectfully submitted that all of the presently pending claims are allowable. It is therefore respectfully requested that the objections and rejections be withdrawn. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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Dated: 3/24/06

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